

**IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No. 3:22-cr-00282
)	Judge Eli Richardson
GLEN CASADA and)	
CADE COTHREN)	

ORDER

Pursuant to the Court’s instruction during the Telephone Conference held on October 3, 2024, the parties submit the following proposed order regarding relief to be awarded on Intervenor Robin Smith’s Motion to Suppress. (D.E. 220.)

Upon consideration of the appropriate award on Intervenor Robin Smith’s Motion to Suppress (D.E. 160), which the Court granted on September 26, 2024 (D.E. 213), it is hereby **ORDERED** as follows:

1. Intervenor Robin Smith (“Intervenor”) will compile a set of search terms to filter out documents and communications protected by the attorney-client privilege and work product doctrine (the “Privilege Search Terms”). Intervenor will provide the Privilege Search Terms to Defendants Glan Casada and Cade Cothren (collectively, “Defendants”) and the Government by October 21, 2024.
2. For imaged materials hosted on Everlaw, Relativity, or any other online database, Defendant Casada will have his litigation technology consultant or vendor run the Privilege Search Terms and filter out any materials that hit for the Privileged Search Terms (the “Quarantined Files”). For Defendant Cothren, his litigation paralegal will follow the same process of running the Privilege Search Terms and filtering out any materials that hit for the Privileged Search Terms

to create the Quarantined Files. Defendants shall not have access to and shall not in any way use the Quarantined Files. Defendants shall destroy any copies of the Quarantined Files within their possession, custody, or control.

3. For images of devices that either Defendant has not previously uploaded to Everlaw, Relativity, or any other online database (the “Unfiltered Devices”), Defendants may export any non-privileged materials that they have already tagged or exported, including any of their notes or other work product they made on the non-privileged materials. Defendants will then return all copies of the Unfiltered Devices within their possession, custody, or control. Defendant Casada will also return the original unfiltered images of the devices that have since been uploaded to Everlaw. The Government will then destroy all returned copies of the Unfiltered Devices, as well as the returned original unfiltered images of devices that have since been uploaded to Everlaw.

4. The Government will run the Privilege Search Terms against the device and email account images provided to create filtered copies of the devices (the “Filtered Devices”). The Government will then produce to Defendant Cothren (and Defendant Casada, if he so elects) the Filtered Devices as expeditiously as possible but, in any event, not later than November 8, 2024.

5. To the extent the Government intends to use materials collected from Intervenor’s electronic devices or email account, the Government will run the Privileged Search Terms to ensure that the Government does not have access to materials that hit for the Privileged Search Terms. The Government shall not in any way access or use materials that hit for the Privileged Search Terms, except that the Government may export any non-privileged materials that it has already tagged or exported, including any of its notes or other work product it made on the non-privileged materials. The Government shall preserve the Quarantined Files and Unfiltered Devices until the end of the present case.

6. To the extent Defendants previously have disseminated or allowed third parties to access any of the Quarantined Files or Unfiltered Devices, the disseminating party shall immediately seek the return or destruction of the Quarantined Files and Unfiltered Devices. Defendants shall provide to Intervenor a list of all third parties who received access to the Quarantined Files or Unfiltered Devices.

7. By December 1, 2024, Defendants will certify that:

a. Neither they nor their counsel have access to, have reviewed, or have used any of the Quarantined Files;

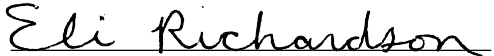
b. They have returned or destroyed all copies of the Unfiltered Devices within their possession, custody, or control;

c. They have not retained any privileged materials from the Unfiltered Devices;

d. They have provided Intervenor a list of all third parties who received access to the Quarantined Files or Unfiltered Devices; and

e. They have received assurances from any third party who received access to the Quarantined Files or Unfiltered Devices that the third party has returned or destroyed all copies of the Quarantined Files and Unfiltered Devices within their possession, custody, or control.

Dated: November 25, 2024


Judge Eli Richardson

Approved for Entry By:

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CERTIFICATE OF SERVICE

I hereby certify that on October 18, 2024, I served counsel for Defendants and the United States by filing the Proposed Order with the Clerk of the Court using the CM/ECF system.

/s/ W. David Bridgers

W. David Bridgers